

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DERRICK WILSON,

Plaintiff,

v.

Case No. 18-C-1027

WHYKETHA PETTIS,
JOHN L. MILLER,
JEROME IRELAND,
RONALD LOLLIS,
DAVID TYRA,
DANIEL SIVIOTTI, and
JOHN DOE,

Defendants.

ORDER

Plaintiff Derrick Wilson, who is currently serving a state prison sentence at Wisconsin Secure Detention Facility, filed the instant lawsuit pursuant to 42 U.S.C. § 1983, alleging that his civil rights were violated. Magistrate Judge William E. Duffin, who was originally assigned to this case, screened Plaintiff's complaint and allowed him to proceed on an excessive force claim against Defendants Miller, Ireland, Lollis, Tyra, and Sivilotti as well as an Eighth Amendment claim against Defendant John Doe, based on Plaintiff's allegations that his strip search was performed in a manner that may have violated the Constitution. Judge Duffin advised Plaintiff that he should use discovery to identify the real name of the John Doe defendant. On January 11, 2019, Plaintiff filed a motion to substitute C.O. Meyer for the unidentified Doe defendant he named in his complaint. Plaintiff's motion will be granted.

IT IS THEREFORE ORDERED that Plaintiff's motion to substitute the proper name of the Doe Defendant (ECF No. 19) is **GRANTED**. The Clerk is directed to revise the caption of this case to reflect that the proper name of John Doe is C.O. Meyer.

IT IS FURTHER ORDERED that, pursuant to the informal service agreement between the Wisconsin Department of Justice and the court, the clerk will electronically send copies of the plaintiff's complaint and this order to the Wisconsin Department of Justice for service on C.O. Meyer.

IT IS FURTHER ORDERED that, pursuant to the informal service agreement between the Wisconsin Department of Justice and this court, C.O. Meyer shall file a responsive pleading to the complaint within sixty days of receiving electronic notice of this order.

Dated this 14th day of January, 2019.

s/ William C. Griesbach

William C. Griesbach, Chief Judge
United States District Court